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Secretary for  
Environmental  
Protection

California Regional Water Quality Control Board  
Central Valley Region  
Karl E. Longley, ScD, PE, Chair

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Arnold  
Schwarzenegger  
Governor

18 May 2009

CERTIFIED MAIL  
7007 0220 0003 1934 0969

Mr. Kurt Starman, City Manager  
City of Redding  
P.O. Box 496071  
Redding, CA 96049-6071

**ADMINISTRATIVE CIVIL LIABILITY COMPLAINT R5-2009-0535 FOR ASSESSMENT OF MANDATORY MINIMUM PENALTIES, CITY OF REDDING, CLEAR CREEK WASTEWATER TREATMENT PLANT, SHASTA COUNTY**

Enclosed is an Administrative Civil Liability Complaint (Complaint), issued pursuant to California Water Code (CWC) section 13385, for violations of Waste Discharge Requirements (WDRs) Order R5-2003-0130 (NPDES No. CA0079731) that have occurred at the Clear Creek Wastewater Treatment Plant. The Complaint charges the City of Redding (Discharger) with civil liability in the amount of **twelve thousand dollars (\$12,000)**, which represents the sum of accrued Mandatory Minimum Penalties for effluent limitation violations that occurred from January through May 2007.

Pursuant to CWC section 13323, the Discharger may:

- Pay the assessed civil liability and waive its right to a hearing before the Central Valley Water Board by signing the enclosed waiver (checking off the box next to item #4) and submitting it to this office by **15 June 2009**, along with payment for the full amount;
- Agree to enter into settlement discussions with the Central Valley Water Board and request that any hearing on the matter be delayed by signing the enclosed waiver (checking off the box next to item #5) and submitting both the waiver and a letter describing issues to be discussed in settlement negotiations to this office by **15 June 2009**;
- Contest the Complaint and/or enter into settlement discussions with the Central Valley Water Board without signing the enclosed waiver.

If the Discharger chooses to sign the waiver and pay the assessed civil liability, this will be considered a tentative settlement of the violations in the Complaint. This settlement will be considered final pending a 30-day period, starting from the date of this Complaint, during which time interested parties may comment on this action by submitting information to this office, attention Stacy Gotham. Should the Central Valley Water Board receive new information or comments during this comment period, the Central Valley Water Board's Assistant Executive Officer may withdraw the complaint, return payment, and issue a new complaint. If the Central Valley Water Board does not hold a hearing on the matter, and if the terms of the final

settlement are not significantly different from those proposed in the enclosed Complaint, then there will not be additional opportunities for public comment on the proposed settlement.

If the Central Valley Water Board does not receive a signed waiver within 30 days of the date of this Complaint (**by 15 June 2009**), then a hearing will be scheduled for the **13/14 August 2009** Central Valley Water Board meeting in Rancho Cordova. The Central Valley Water Board's Prosecution Team has proposed the enclosed draft Hearing Procedures to govern the conduct of such a hearing. Any objections to these draft Hearing Procedures must be received by Lori Okun, whose contact information is listed in the enclosed draft Hearing Procedures, by **5 p.m. on 28 May 2009**.

Any comments or evidence concerning the enclosed Complaint must be submitted in accordance with the deadlines contained in the enclosed draft Hearing Procedures, unless these deadlines are changed by the Central Valley Water Board's Adjudicatory Team, either on their own accord or upon request.

In order to conserve resources, this letter transmits paper copies of the documents to the Discharger only. Interested persons may download the documents from the Central Valley Water Board's Internet website at:

[http://www.waterboards.ca.gov/centralvalley/tentative\\_orders/](http://www.waterboards.ca.gov/centralvalley/tentative_orders/).

Copies of these documents can also be obtained by contacting or visiting the Central Valley Water Board's office weekdays between 8:00 AM and 5:00 PM.

If you have any questions or comments regarding the Administrative Civil Liability Complaint, please contact Stacy Gotham at (530) 224-4845.

James C. Pedri  
Assistant Executive Officer

GDD/SSG: sae

Enclosure: ACLC R5-2009-0535  
Proposed Hearing Procedures

cc w/ encl: Ms. Pamela Creedon, Central Valley Water Board, Rancho Cordova  
Mr. Ken Landau, Central Valley Water Board, Rancho Cordova  
Mr. Kenneth Greenberg, USEPA, Region 9, San Francisco  
Mr. Reed Sato, Office of Enforcement, SWRCB, Sacramento  
Mr. Patrick Pulupa, Office of Chief Counsel, SWRCB, Sacramento  
Ms. Lori Okun, Office of Chief Counsel, SWRCB, Sacramento  
Ms. Emel Wadhwani, Office of Chief Counsel, SWRCB, Sacramento  
Mr. Bill Jennings, California Sportfishing Protection Alliance, Stockton  
Plumas County Environmental Health, Quincy